

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

SHEET METAL WORKERS LOCAL
UNION NO. 224, et al.,

Plaintiffs,

:

Case No. 3:11-cv-045

-vs-

District Judge Walter Herbert Rice
Magistrate Judge Michael R. Merz

:

COMMERCIAL INDUSTRIAL
SERVICES,

Defendant.

ORDER

On Plaintiffs' Motion (Doc. No. 12), the Court set this matter for a judgment debtor examination on September 7, 2011. Defendant failed to appear and the Court advised counsel of the possibility of proceeding in contempt.

On January 3, 2012, the Court ordered Plaintiffs' counsel to advise whether they intended to proceed or whether the matter has become moot.

Plaintiffs' counsel has now advised this Court that Defendant appears to be out of business. Therefore, the matter of contempt is now moot.

February 17, 2012.

s/ **Michael R. Merz**
United States Magistrate Judge